

REMARKS/ARGUMENTS

The status of the claims is as set forth in the above listing of the claims. No new matter has been added with the present Amendment. Accordingly, claims 1, 4-25 and 51-52 are pending in the present Application. Reconsideration and allowance of all pending claims is respectfully requested.

I. INTERVIEW SUMMARY

The Examiner and Applicants' Attorneys of Record conducted a telephone conference on September 13, 2006, to discuss a newly discovered reference, as well as possible claim amendments. The Examiner has provided an official Interview Summary mailed on September 20, 2006, and the Applicants acknowledge that Interview Summary and thank the Examiner for her efforts in this regard.

II. REJECTIONS UNDER 35 U.S.C §102

The Examiner has rejected claims 1, 4, 7, 14-15, 18 and 20 under 35 U.S.C §102 as allegedly anticipated by U.S. Patent 5,158,824 to Gill, *et al.* In response, the Applicants respectfully assert that Gill does not disclose each and every element of independent claims 1 and 14, and have amended claims 1 and 14 to further clarify the structure and relationship of the first and second surfaces in the presently claimed wet-laid article. Specifically, claim 1 has been amended to recite that the second surface of the wet-laid article is "a second surface opposed to and coextensive with the first surface." Independent claim 14 has been amended in a similar manner.

Looking at the cited reference, Gill does not teach a wet-laid nonwoven article having "a second surface [of randomly dispersed wet-laid fibers] opposed to and coextensive with the first

surface.” In contrast, the material produced by Gill contains directionally oriented fiber throughout its entire finished thickness. Stated another way, the directionally aligned fibers in Gill are being formed simultaneously with the randomly dispersed fiber; therefore, the directionally aligned fibers extend through the entire thickness of the formed material. This physical characteristic of Gill’s material is clearly seen from the description therein of the disclosed manufacturing process:

As illustrated in FIG. 2 a flat water resistant sheet 16 is fastened to the headbox 2 covering a portion of the dewatering area. The sheet 16 has a number of longitudinal slots formed therein and is positioned in close proximity to the continuous traveling forming belt 8 as it passes through the headbox 2. As a result of the continuous forward movement of the traveling forming belt 8 as the vacuum from the vacuum boxes 10 is applied to the bottom of the continuous traveling forming belt 8 drawing the water from the headbox 2 through the continuous traveling forming belt 8, the dispersed fibers 3 are deposited through the slots 18 of the flat slotted sheet 16 on the top of the continuous traveling forming belt 8 and oriented to the shape and size of the slots 18. Since the continuous traveling forming belt 8 is in continuous movement the fibers deposited within the slotted areas 18 of the sheet 16 are oriented in the direction of travel of the continuous traveling forming belt 8. The fibers deposited in the dewatering area 7 of the forming section or headbox 2 not affected by the sheet 16 are deposited on the continuous traveling belt 8 in a random manner. (Gill, Col. 3, lns. 17-38).

As described in the above passage from Gill, a portion of the dewatering area (where the chopped fibers are dispersed towards the forming belt) is covered by the directionally-orienting slots 18, while the remaining portion of the dewatering area is not covered. Thus, in this uncovered area, the fibers are dispersed in random directions, while others of the fibers dispersed via the slot-covered portion of the dewatering are directionally aligned. As a result, since both randomly dispersed and directionally aligned fibers are fed through the dewatering area at the same time while the forming belt 8 is continuously moving, two surfaces that are opposed to and

coextensive with each other cannot be formed by Gill. In contrast to the material formed by the technique in Gill, claims 1 and 14 of the present application provides a wet-laid article having opposed and coextensive first and second surfaces.

Claim 1 of Gill further evidences that the nonwoven material manufactured using Gill's process includes the directionally aligned fibers throughout the entire material, rather than being present on only an opposing side of a surface of randomly disbursed fibers as recited in present claims 1 and 14. Of course, while the claims of a cited reference do not necessarily decide the patentability of the claims in the application at issue, the claims of a cited reference can prove invaluable in interpreting the teachings, and the limitations of those teachings, found in the reference. Claim 1 of Gill is reproduced below:

1. A non-woven fibrous mat of generally random fiber orientation comprising built up strips of discontinuous fiber formed therein adjacent the randomly oriented fibers, the discontinuous fibers of the strips being directionally oriented to enhance the strength or texture of the mat. (Col. 6, lns. 2-7).

The text recited in claim 1 of Gill reinforces that the structure of Gill's material conforms to the description of Gill's process set forth above, and thus it is distinct from the nonwoven article recited in present claims 1 and 14. Specifically, Gill's claim 1 recites a "non-woven fibrous mat of generally random fiber orientation comprising built up strips of discontinuous fiber *formed therein*" (emphasis added). From this portion of the claim it is clear that Gill's mat is "generally" made of randomly oriented fibers, and that the directionally oriented "strips" of fibers are "formed therein" (i.e., within the randomly oriented fibers). Since the directionally oriented fibers of the presently claims material are not located within the randomly oriented fibers, claims 1 and 14 recite patentably distinct materials.

For the above reasons, Gill does not disclose a wet-laid nonwoven article having each and every element recited in independent claims 1 and 14, as amended herein. As a result, Gill is not an anticipating reference for amended claims 1 and 14, and their respective dependent claims. Accordingly, the Applicants respectfully request that the Examiner withdraw the §102 rejections of claims 1, 4, 7, 14-15, 18 and 20.

III. REJECTIONS UNDER 35 U.S.C §103

The Examiner has also rejected claims 5-6, 11-13, 16-17, 21-24 and 51-52 under 35 U.S.C §103 as allegedly obvious and thus unpatentable over Gill. The Applicants respectfully assert that these dependent claims are not obvious in view of Gill since these dependent claims depend from independent claims 1 and 14, respectively. As discussed above, Gill does not teach or suggest all of the elements recited in independent claims 1 and 14, as amended. As a result, Gill does not teach or suggest all of the elements of dependent claims 5-6, 11-13, 16-17, 21-24 and 51-52, which respectively depend from claims 1 or 14. Thus, claims 5-6, 11-13, 16-17, 21-24 and 51-52 are also not obvious in view of Gill, and the Applicants respectfully request that the Examiner withdraw the §103 rejection with respect to these dependent claims.

IV. CONCLUSION

The Applicants respectfully submit that all pending claims are in condition for allowance, and request a Notice of Allowability for the pending claims. The Examiner is invited to contact the undersigned Attorney of Record if such would expedite the prosecution of the present Application.

The three-month response deadline is set to expire on October 10, 2006. As a result, no extension fee is believed due with this filing. However, if a fee is determined to be due,

Applicants hereby authorize the Commissioner to charge the necessary amount to Deposit Account No. 13-0480, referencing the Attorney Docket Number specified herein.

Respectfully submitted,

/James H. Ortega/

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